

## **EXHIBIT C**

*PRISON*

1 FILE # 03-40-17  
2 SET FOR: June 26, 1986  
3 COURT: Dept. 3  
ATTORNEY: Dominic Eyherabide (322-2999)  
3 DPO: SKD

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## IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9

IN AND FOR THE COUNTY OF KERN

10

\* \* \* \* \*

11

THE PEOPLE OF THE STATE OF CALIFORNIA \*

12

PLAINTIFF, \* PROBATION OFFICER'S

13

LENNIS LAVELLE ROBERSON

REPORT

14

DEFENDANT. \* NO. 31134

15

\* \* \* \* \*

16

HONORABLE JAMES G. BOWLES, JUDGE

17

DOB: June 28, 1957 CITIZENSHIP: U.S.

18

BIRTHPLACE: Bakersfield, CA MARITAL STATUS: Single

19

SEX: Male

DEPENDENTS: One

20

ETHNIC GROUP: Black

MILITARY STATUS: None

21

DRIV. LIC. # Unknown

22

SOC. SEC. # 561-11-3196

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1           PRESENT CHARGE:

2           The defendant is before the Court at this time;  
3 having been charged in the information with Twenty Felonies,  
4 to-wit: Count One, Violation of Section 182 of the Penal Code  
5 with Four Overt Acts; Counts Two and Seventeen, Violations of  
6 Section 261(2) of the Penal Code; Counts Three, Four, Five,  
7 Seven, Nine, Eleven, Thirteen, Sixteen, and Eighteen, Viola-  
8 tions of Section 288(b) of the Penal Code; Counts Six, Eight,  
9 Ten, Twelve, and Fifteen, Violations of Section 266j of the  
10 Penal Code; Count Fourteen, Violation of Section 207(b) of the  
11 Penal Code; Count Nineteen, Violation of Section 266i(b) of the  
12 Penal Code; and Count Twenty, Violation of Section 266h of the  
13 Penal Code. The defendant was arraigned on March 28, 1986, on  
14 the above charges, and pled not guilty; at which time, a trial  
15 date was set for May 19, 1986. On May 29, 1986, the defendant  
16 was found guilty by jury of Count One, Violation of Section 182  
17 of the Penal Code with Four Overt Acts; Counts Two and Seven-  
18 teen, Violations of Section 261(2) of the Penal Code; Counts  
19 Five, Seven, Nine, Eleven, Thirteen, Sixteen, and Eighteen,  
20 Violations of Section 288(b) of the Penal Code; Counts Six,  
21 Eight, Ten, Twelve, and Fifteen, Violations of Section 266j of  
22 the Penal Code; Count Fourteen, Violation of Section 207(b) of  
23 the Penal Code; Count Nineteen, Violation of Section 266i(b) of  
24 the Penal Code; Count Twenty, Violation of Section 266h of the  
25 Penal Code; and Count Three, Violation of Section 288(a) of the  
26 Penal Code, a lesser and included offense. The defendant was

1 found not guilty of Count Four. The matter was referred to the  
2 Adult Probation Department for investigation, report, and  
3 recommendation; said report to be considered for sentencing on  
4 Thursday, June 26, 1986.

5 The defendant was arrested on February 23, 1986, in  
6 Bakersfield, California, by deputies of the Kern County  
7 Sheriff's Office, and has remained in custody since that date;  
8 this constituting 124 days actual incarceration, to which will  
9 be added 62 days good and work time, for a total of 186 days  
10 credit for time served.

11 PRIOR RECORD:

12 There are no convictions listed on the defendant's  
13 prior record.

14 CIRCUMSTANCES OF THE PRESENT OFFENSE:

15 The following is a summary of the circumstances taken  
16 from law enforcement reports, medical records, and preliminary  
17 hearing transcripts. The undersigned did not have access to  
18 the trial transcripts.

19 During the afternoon hours of February 18, 1986,  
20 13-year-old Tonya Woodin, a Dependent of the Kern County  
21 Juvenile Court, ran away from the custody of her social worker  
22 while returning from the Kern Medical Center to the Jamison  
23 Children's Center. Tonya jumped out of the car while it was  
24 stopped at a stop sign. She later stated she had originally  
25 planned to go to her cousin's home on Quincy Street, but  
26 instead, she went to Union Avenue in hopes of finding her Aunt.

1 Chrissy, who Tonya admitted, was a "hooker."

2 While walking on Union Avenue, Tonya was approached  
3 by a Cadillac driven by Lennis Roberson and his female  
4 passenger, Karen Staten, co-defendants in the instant offense,  
5 who offered Tonya a ride. Roberson and Staten told Tonya they  
6 knew her Aunt Chrissy and that they would take her to their  
7 motel room until they could locate Tonya's aunt. However, the  
8 co-defendants took Tonya to the Royale Palms Motel, where she  
9 was shown "how to be a whore" by watching the co-defendants  
10 perform acts of oral copulation and sexual intercourse. Tonya  
11 was then forced to orally copulate Co-defendant Roberson; after  
12 which, Roberson raped Tonya; causing her to bleed, which  
13 resulted in a puddle of blood whose diameter encompassed a  
14 six-inch stain on the sheet. Tonya stated Co-defendant Staten  
15 threatened to "blow my brains out"; and at one point,  
16 Co-defendant Roberson placed a pistol to Tonya's head and  
17 pulled the trigger to show her what would happen if she dis-  
18 obeyed. Tonya was told she would be taken to various labor  
19 camps where she would be sold for approximately \$20.00, in  
20 exchange for sex.

21 During the following five days, Tonya testified she  
22 was threatened with bodily harm if she did not cooperate. The  
23 co-defendants took her to labor camps where she had sex with  
24 approximately forty different men. Tonya related one man paid  
25 \$100.00 to orally copulate her, and that the money was  
26 immediately given to Co-defendant Staten. When alone with the

1 co-defendants, Tonya testified, Co-defendant Roberson raped her  
2 again and Co-defendant Staten orally copulated her. Tonya  
3 stated she could only remember eating two small meals and  
4 remembered being given some sort of drug in cigarette form,  
5 which made her feel "lightheaded, weird, sick."

6 Finally, on the fifth day of being held against her  
7 will, Tonya was taken to a labor camp near Lamont, where two  
8 prospective "clients" questioned her as to whether she was  
9 being held against her will. When Tonya told one man she was  
10 being forced to have sex and held against her will, he helped  
11 her escape through a bathroom window. Law enforcement was then  
12 contacted and the co-defendants were fully identified with the  
13 aid of the license plate number taken from the Cadillac which  
14 had brought Tonya to the labor camp. After tracing the number  
15 of the license plate, the co-defendants were located and  
16 arrested without incident.

17 The 13-year-old victim, Tonya Woodin, was taken to  
18 Kern Medical Center for treatment and examination. Tonya  
19 complained of being sick to her stomach, as well as pain in her  
20 right ankle. Dr. Diamond subsequently examined Tonya for  
21 possible sexual molestation and concluded, "This young lady has  
22 been sexually molested."

23 **DEFENDANT'S STATEMENT:**

24 The defendant did not submit a written statement.

25 During an interview with the defendant at the Kern  
26 County Sheriff's Lerdo Facility, he declined to provide any

1 type of comment.

2 VICTIM INTERVIEW AND RESTITUTION INFORMATION:

3 After adjudication in the instant offense, the  
 4 14-year-old victim, Tonya Woodin, who had previously been a  
 5 declared a Dependent of the Kern County Juvenile Court in  
 6 January of 1986, under Section 300A of the Welfare and  
 7 Institutions Code, was placed in a group home outside of Kern  
 8 County. Unfortunately, the victim recently ran away from the  
 9 group home and her current whereabouts is unknown. The  
 10 victim's Social Service Worker, Ms. Rhonda Harrington,  
 11 described the victim as initially being somewhat out of control  
 12 due to her prior neglect situation, but since the instant  
 13 offense, the victim's problems have escalated to the point  
 14 where she is now irrational. Obviously, the instant offense  
 15 has "scarred" the victim in many ways.

16 PERSONAL AND FAMILY HISTORY:

17 The defendant, Lennis Lavelle Roberson aka "Bam," age  
 18 28, was born June 28, 1957, in Bakersfield, California, and has  
 19 remained a lifelong resident of Kern County (prior arrest  
 20 records also list the defendant's birthdate as June 28, 1951).  
 21 At the time of his arrest in the instant offense, the defendant  
 22 listed his home address as 405 Texas Street, Bakersfield,  
 23 California, and noted that this is his mother's home. The  
 24 defendant indicated his 94-year-old grandfather also resides in  
 25 the home. The defendant stands five feet, seven inches tall,  
 26 weighs 180 pounds, and has brown eyes and black hair.

1           The defendant stated that as a result of a common-law  
2 relationship he established and maintained for four years with  
3 Lashelle Gillon, a son, Marshawnn, age five, was born and  
4 continues to reside with the natural mother in Bakersfield,  
5 California.

6           The defendant could not provide any information in  
7 regard to his natural father. The defendant's mother, Lucinda  
8 Davis nee Pace, approximate age 65, was born in Texas, and  
9 currently resides at 405 Texas Street, Bakersfield. The defen-  
10 dant's mother is currently supported by Social Security  
11 retirement benefits. The defendant's mother had previously  
12 worked in the area of domestic home management. The defendant  
13 does not believe his parents were legally married, and believes  
14 their union only produced one child. The defendant indicated  
15 that as a result of other marriages and relationships in which  
16 his mother was involved, he has three brothers and three  
17 sisters who are "scattered around."

18 **RELIGION AND EDUCATION:**

19           As a child, the defendant stated, he attended the  
20 Church of Living God, but that as an adult, he has no religious  
21 affiliation.

22           The defendant attended John C. Fremont Elementary  
23 School prior to enrolling in Bakersfield High School, where he  
24 graduated in 1975.

25 **MILITARY RECORD AND HEALTH:**

26           The defendant has never been a member of the United

1 States Armed Forces.

2           The defendant stated he is in good health and does  
3 not suffer from any physical handicap.

4           The defendant denied he consumes any type of  
5 alcoholic beverage, and denied he experiments with or uses any  
6 type of illicit drug.

7 **RESOURCES AND EMPLOYMENT:**

8           For the past year, the defendant stated, he has been  
9 unemployed, and offered no explanation as to how he has been  
10 supported. Prior to this time, the defendant stated, he had  
11 worked in a sporadic manner in various oil field maintenance  
12 companies, as well as in farm labor.

13          The defendant denied possession of a checking or  
14 savings account, and stated he has no assets or financial  
15 liabilities.

16 **EVALUATION:**

17          **Circumstances In Mitigation:**

18          Pursuant to the sentencing rules of the Uniform  
19 Determinate Sentencing Act, the following circumstance is being  
20 listed in mitigation.

21          (1). The defendant has no known prior criminal  
22 record of conviction. (All Counts)

23          **Circumstances In Aggravation:**

24          Pursuant to the sentencing rules of the Uniform  
25 Determinate Sentencing Act, the following circumstances are  
26 being listed in aggravation.

1                     (1). The crime involved threat of great bodily harm  
2 or other acts disclosing a high degree of cruelty in that the  
3 defendant threatened to kill the victim if she did not  
4 cooperate. (Counts One, Three, Six, Eight, Ten, Twelve,  
5 Fourteen, Fifteen, Nineteen, and Twenty)

6                     (2). The defendant was convicted of other crimes for  
7 which consecutive sentences could have been imposed, but for  
8 which concurrent sentences are being imposed. (Counts Fifteen  
9 and Twenty)

10                  (3). The planning, sophistication or professionalism  
11 with which the crime was carried out or other facts indicate  
12 premeditation. (All Counts)

13                  Analysis:

14                  Appearing before the Court is the 28-year-old  
15 defendant, Lennis Roberson, who has been convicted by jury of  
16 Nineteen Felonies, to-wit: Count One, Violation of Section 182  
17 of the Penal Code with Four Overt Acts; Counts Two and  
18 Seventeen, Violations of Section 261(2) of the Penal Code;  
19 Count Three, Violation of the lesser and included Section  
20 288(a) of the Penal Code; Counts Five, Seven, Nine, Eleven,  
21 Thirteen, Sixteen, and Eighteen, Violations of Section 288(b)  
22 of the Penal Code; Counts Six, Eight, Ten, Twelve, and Fifteen,  
23 Violations of Section 266j of the Penal Code; Count Fourteen,  
24 Violation of Section 207(b) of the Penal Code; Count Nineteen,  
25 Violation of Section 266i(b) of the Penal Code; and Count  
26 Twenty, Violation of Section 266h of the Penal Code.

1           What began as a supposed act of kindness turned into  
2 a five-day nightmare for the then 13-year-old victim, who was  
3 raped by both co-defendants, threatened with death, deprived of  
4 food, and forced into acts of prostitution with at least thirty  
5 men. Although the defendant has no known prior criminal con-  
6 victions, in view of the seriousness of the instant offense, a  
7 prison commitment is the only viable disposition.

8           Pursuant to Sections 1203.065 and 1203.066 of the  
9 Penal Code, the defendant is ineligible for probation in Counts  
10 Two, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve,  
11 Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, and  
12 Twenty. Regardless of these statutory limitations, probation  
13 would not be recommended due to the nature of the offenses, the  
14 time span of the offenses, and the victim's tender age.

15           Pursuant to Section 667.6 of the Penal Code, it  
16 should be noted that Counts Two, Seventeen, Five, Seven, Nine,  
17 Eleven, Thirteen, and Sixteen must be mandatorily sentenced  
18 fully consecutively, for a total of 48 years due to the fact  
19 the crimes are clearly on separate occasions. The Court's  
20 attention should also be drawn to the fact that of the  
21 remaining Counts which will be sentenced under Section 1170.1  
22 of the Penal Code, one of the Counts must be established as the  
23 principal term. The undersigned will use Count Ten as the  
24 principal term pursuant to Section 1170.1 of the Penal Code.  
25 In addition, it should be noted that Counts One, Three, Six,  
26 Eight, Twelve, Fourteen, Eighteen, and Nineteen must be stayed

1 pursuant to Section 654 of the Penal Code; however, several of  
2 the remaining Counts could be sentenced consecutively under  
3 Section 1170.1 of the Penal Code. After reviewing the facts  
4 relating to the crime and the facts relating to the defendant,  
5 it is this department's opinion that the remaining Counts under  
6 Section 1170.1 of the Penal Code should be sentenced  
7 concurrently.

8 The defendant is a threat to the physical and  
9 emotional well-being of the young members of our community and  
10 a threat to the integrity of the older members. A review of  
11 the circumstances listed in aggravation and mitigation would  
12 appear to clearly justify the upper term; however, it is this  
13 department's opinion that the imposition of the middle term  
14 will obtain an appropriate sentence.

15 It is with the above thoughts in mind that the  
16 following recommendation is respectfully submitted.

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	<u>PUNISHMENT</u>	<u>AGG.</u>	<u>MIT.</u>	<u>BASE TERM</u>	<u>ENHANCEMENT</u>	<u>C/S SENTENCES</u>	<u>TOTAL</u>
1	<u>(Pursuant to 1170.1 PC):</u>						
2							
3	<u>Count Ten - PC 266j:</u>						
4	3-6-8	No	No	6 years	None	PC 667.6(d)	54 yrs
5						Counts 2, 17,	
6						5, 7, 9, 11,	
						13, & 16	
						(Each for 6 yrs.)	
						Total:	48 yrs.
7	<u>Count One - PC 182:</u>						
8	3-6-8	No	No	6 years	None		
9	<u>Count Three - PC 288(a):</u>						
10	3-6-8	No	No	6 years	None		
11	<u>Count Eighteen - PC 288(b):</u>						
12	3-6-8	No	No	6 years	None		
13	<u>Count Six - PC 266j:</u>						
14	3-6-8	No	No	6 years	None		
15	<u>Count Eight - PC 266j:</u>						
16	3-6-8	No	No	6 years	None		
17	<u>Count Twelve - PC 266j:</u>						
18	3-6-8	No	No	6 years	None		
19	<u>Count Fourteen - PC 207(b):</u>						
20	3-5-8	No	No	5 years	None		
21	<u>Count Nineteen - PC 266i(b):</u>						
22	3-6-8	No	No	6 years	None		
23	<u>Count Fifteen - PC 266j:</u>						
24	3-6-8	No	No	6 years	None		
25	<u>Count Twenty - PC 266h:</u>						
26	3-6-8	No	No	6 years	None		

	<u>PUNISHMENT</u>	<u>AGG.</u>	<u>MIT.</u>	<u>BASE TERM</u>	<u>ENHANCEMENT</u>	<u>C/S SENTENCES</u>	<u>TOTAL</u>
1							
2	<u>(Pursuant to PC 667.6(d)):</u>						
3	<u>Count Two - PC 261(2):</u>						
4	3-6-8	No	No	6 years	None		
5	<u>Count Seventeen - PC 261(2):</u>						
6	3-6-8	No	No	6 years	None		
7	<u>Count Five - PC 288(b):</u>						
8	3-6-8	No	No	6 years	None		
9	<u>Count Seven - PC 288(b):</u>						
10	3-6-8	No	No	6 years	None		
11	<u>Count Nine - PC 288(b):</u>						
12	3-6-8	No	No	6 years	None		
13	<u>Count Eleven - PC 288(b):</u>						
14	3-6-8	No	No	6 years	None		
15	<u>Count Thirteen - PC 288(b):</u>						
16	3-6-8	No	No	6 years	None		
17	<u>Count Sixteen - PC 288(b):</u>						
18	3-6-8	No	No	6 years	None		

19           RECOMMENDATION:

20           Count Ten - PC 266j:

21           It is respectfully recommended that probation be  
 22 denied, and the defendant be sentenced to the Department of  
 23 Corrections for a period of six years.

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1                   Count One - PC 182:

2                   It is respectfully recommended that probation be  
3 denied, and the defendant be sentenced to the Department of  
4 Corrections for a period of six years; said sentence to be  
5 stayed until the successful completion of sentence heretofore  
6 imposed, then permanently thereafter.

7                   Count Three - PC 288(a):

8                   It is respectfully recommended that probation be  
9 denied, and the defendant be sentenced to the Department of  
10 Corrections for a period of six years; said sentence to be  
11 stayed until the successful completion of sentences heretofore  
12 imposed, then permanently thereafter.

13                  Count Eighteen - PC 288(b):

14                  It is respectfully recommended that probation be  
15 denied, and the defendant be sentenced to the Department of  
16 Corrections for a period of six years; said sentence to be  
17 stayed until the successful completion of sentences heretofore  
18 imposed, then permanently thereafter.

19                  Count Six - PC 266j:

20                  It is respectfully recommended that probation be  
21 denied, and the defendant be sentenced to the Department of  
22 Corrections for a period of six years; said sentence to be  
23 stayed until the successful completion of sentences heretofore  
24 imposed, then permanently thereafter.

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1                   Count Eight - PC 266j:

2                   It is respectfully recommended that probation be  
3 denied, and the defendant be sentenced to the Department of  
4 Corrections for a period of six years; said sentence to be  
5 stayed until the successful completion of sentences heretofore  
6 imposed in Count Ten, then permanently thereafter.

7                   Count Twelve - PC 266j:

8                   It is respectfully recommended that probation be  
9 denied, and the defendant be sentenced to the Department of  
10 Corrections for a period of six years; said sentence to be  
11 stayed until the successful completion of sentences heretofore  
12 imposed, then permanently thereafter.

13                  Count Fourteen - PC 207(b)

14                  It is respectfully recommended that probation be  
15 denied, and the defendant be sentenced to the Department of  
16 Corrections for a period of five years; said sentence to be  
17 stayed until the successful completion of sentences heretofore  
18 imposed, then permanently thereafter.

19                  Count Nineteen - PC 266i(b):

20                  It is respectfully recommended that probation be  
21 denied, and the defendant be sentenced to the Department of  
22 Corrections for a period of six years; said sentence to be  
23 stayed until the successful completion of sentences heretofore  
24 imposed, then permanently thereafter.

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1                   Count Fifteen - PC 266j:

2                   It is respectfully recommended that probation be  
3 denied, and the defendant be sentenced to the Department of  
4 Corrections for a period of six years; said sentence to be  
5 served concurrently with the fully consecutive sentences  
6 imposed in Counts Ten, Two, Seventeen, Five, Seven, Nine,  
7 Eleven, Thirteen, and Sixteen.

8                   Count Twenty - PC 266h:

9                   It is respectfully recommended that probation be  
10 denied, and the defendant be sentenced to the Department of  
11 Corrections for a period of six years; said sentence to be  
12 served concurrently with the fully consecutive sentences  
13 imposed in Counts Ten, Two, Seventeen, Five, Seven, Nine,  
14 Eleven, Thirteen, and Sixteen.

15                  (Pursuant to PC 667.6(d) (Fully Consecutive)):

16                  Count Two - PC 261(2):

17                  It is respectfully recommended that probation be  
18 denied, and the defendant be sentenced to the Department of  
19 Corrections for a period of six years; said sentence to be  
20 served fully consecutive to any sentence imposed in the above  
21 counts.

22                  Count Seventeen - PC 261(2):

23                  It is respectfully recommended that probation be de-  
24 nied, and the defendant be sentenced to the Department of Cor-  
25 rections for a period of six years; said sentence to be served  
26 fully consecutive to any sentence imposed in the above counts.

1                   Count Five - PC 288(b):

2                   It is respectfully recommended that probation be  
3 denied, and the defendant be sentenced to the Department of  
4 Corrections for a period of six years; said sentence to be  
5 served fully consecutive to any sentence imposed in the above  
6 counts.

7                   Count Seven - PC 288(b):

8                   It is respectfully recommended that probation be  
9 denied, and the defendant be sentenced to the Department of  
10 Corrections for a period of six years; said sentence to be  
11 served fully consecutive to any sentence imposed in the above  
12 counts.

13                  Count Nine - PC 288(b):

14                  It is respectfully recommended that probation be  
15 denied, and the defendant be sentenced to the Department of  
16 Corrections for a period of six years; said sentence to be  
17 served fully consecutive to any sentence imposed in the above  
18 counts.

19                  Count Eleven - PC 288(b):

20                  It is respectfully recommended that probation be  
21 denied, and the defendant be sentenced to the Department of  
22 Corrections for a period of six years; said sentence to be  
23 served fully consecutive to any sentence imposed in the above  
24 counts.

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1                   Count Thirteen - PC 288(b):

2                   It is respectfully recommended that probation be  
3 denied, and the defendant be sentenced to the Department of  
4 Corrections for a period of six years; said sentence to be  
5 served fully consecutive to any sentence imposed in the above  
6 counts.

7                   Count Sixteen - PC 288(b):

8                   It is respectfully recommended that probation be  
9 denied, and the defendant be sentenced to the Department of  
10 Corrections for a period of six years; said sentence to be  
11 served fully consecutive to any sentence imposed in the above  
12 counts, FOR A TOTAL FIXED TERM OF FIFTY-FOUR (54) YEARS IN THE  
13 DEPARTMENT OF CORRECTIONS.

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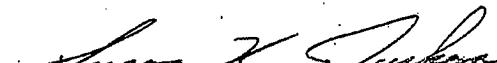
1           It is further recommended that the defendant be  
2 instructed to register as a Sex Offender under the provisions  
3 of Section 290 of the Penal Code.

4           It is further recommended that the defendant pay a  
5 restitution fine in the amount of \$100.00, pursuant to  
6 Government Code Section 13967.

7           RESPECTFULLY SUBMITTED,

8           T. GLEN BROWN  
9           COUNTY PROBATION OFFICER

10          DATED: June 18 , 1986

11            
12          Susan K. Durkan  
13          Deputy Probation Officer  
14          Adult Division

15          I HAVE READ AND CONSIDERED THE PROBATION OFFICER'S REPORT.

16          DATED: June , 1986

17          JUDGE OF THE SUPERIOR COURT  
18          BAKERSFIELD, KERN COUNTY  
19          CALIFORNIA

20          SKD:rb